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RUEKJCS/SECDEF WASHINGTON DC
RUCPDOG/USDOC WASHINGTON DC 0000

UNCLAS STATE 088035

SIPDIS
TBILISI FOR NICOLE O'BRIEN
TEL AVIV FOR JASON GRUBB

E.O. 12958: N/A
TAGS: [ETTC](#) [KOMC](#) [IS](#) [GG](#)
SUBJECT: BLUE LANTERN LEVEL 3: POST-LICENSE/PRE-SHIPMENT
END-USE CHECK ON LICENSES 050171347 AND 050172400

¶1. This is an Action Request. See paragraphs 4 - 5.

¶2. The Department's Office of Defense Trade Controls Compliance (PM/DTCC) requests Post's assistance in conducting a post-license/pre-shipment check on licenses 050171347 and 050172400 for the export of rifles and night vision to Georgia. Post is requested to complete this Blue Lantern check within 45 days. Lack of response to a Blue Lantern check will affect pending and future licenses involving parties to this license.

¶3. Reason for Request: The rifles and night vision listed below are particularly sensitive defense articles. Foreign intermediate consignee RPA Port Aviation had never been party to a U.S. export license until May 2009, at which time the company appeared on five licenses for ultimate end-use in Georgia. This check is to establish the bona fides of these transactions and RPA Port Aviation.

¶4. Action Request Tbilisi: Post is requested to establish the bona fides of these transactions by making inquiries to representatives of the Georgian Ministry of Internal Affairs. The following points are included for guidance:

(To Ministry of Internal Affairs)

--Can you confirm that MOIA has ordered the defense articles listed below?

--What role is RPA Port Aviation playing in these transactions? What services has the company provided? What fees or commissions have you paid the company?

In its reply, Post is encouraged to comment on any information pertinent to this transaction such as security of facilities, end-use, and concerns about the entities involved.

¶5. Action Request Tel Aviv: Post is requested to establish the bona fides of RPA Port Aviation by making inquiries to representatives of the company.

(To RPA Port Aviation)

--When was your company established and who are its principals?

--What products and services does your company provide? Who are your regular customers and where do they reside?

--What are your annual sales of U.S.-origin defense articles?

--What is your role in these transactions? What fees and

commissions will you receive for your services in these transactions?

--Will you ever have physical possession of these defense articles?

--Have you had a previous business relationship with the Ministry of Internal Affairs or any other agency of the Government of Georgia? Have you had a previous business relationship with U.S. company Falcon Defense?

--Are you familiar with the regulations governing the brokering of U.S.-origin defense articles? Are you familiar with the regulations governing the brokering of U.S.-origin defense articles, including restrictions on re-transfer or re-export?

In its reply, Post is encouraged to comment on any information pertinent to this transaction such as security of facilities, end-use, and concerns about the entities involved.

15. Details of license applications:

1A.

DTC Case: 050171347 (Partial shipment has already been made)

QUANTITY/COMMODITY:

50 McMillan "TAC50" Rifles, .50 Caliber

20 McMillan "TAC338" Rifles, .338 Lapua Caliber

20 McMillan "TAC308" Rifles, .308 Caliber

License Value: USD \$790,667 (NOTE: Actual exports so far value at approx. \$100,000)

SELLER:

Falcon Defense Group
3940 Bardstown Road Suite 2C
Louisville, KY 40218
POC is Steven D. Herberth, Tel. 502-491-6942

FOREIGN INTERMEDIATE CONSIGNEE:

RPA Port Aviation Ltd
Mamam Bldg # 1103 Ben Gurion International Airport
Tel Aviv

FOREIGN END-USER:

Ministry of Internal Affairs of Georgia
10 General Gia Gulua Street
0114 Tbilisi
Georgia
POC is Deputy Minister, Internal Affairs, Shalva Janashvili,
Tel. 011-995-32-272-883

PURPOSE:

For use by the MOIA for law enforcement and counter-terrorism operations

1B.

DTC Case: 050172400 (No shipment has yet been made)

QUANTITY/COMMODITY:

140 AN/PVS-27 GEN 3 Magnum Universal Sights (NSN: 5855-01-547-9489)

License Value: USD \$1,680,000

SELLER:

Falcon Defense Group
3940 Bardstown Road Suite 2C
Louisville, KY 40218
POC is Steven D. Herberth, Tel. 502-491-6942

FOREIGN INTERMEDIATE CONSIGNEE:

RPA Port Aviation Ltd
Mamam Bldg # 1103 Ben Gurion International Airport
Tel Aviv

FOREIGN END-USER:

Ministry of Internal Affairs of Georgia
10 General Gia Gulua Street
0114 Tbilisi
Georgia
POC is Deputy Minister, Internal Affairs, Shalva Janashvili,
Tel. 011-995-32-272-883

PURPOSE:

For use by the MOIA for law enforcement and counter-terrorism operations

¶6. Submitted in support of the license application were the following documents (PM/DTCC will fax documentation to Posts upon request):

¶A.

Signed DSP-83 Nontransfer and Use Certificate signed by Steve Herberth (Falcon) dated 05/21/2009 and Illegible Signature (MOIA) dated 03/17/2009

Certificate of End User No. 114039/284 issued by MOIA signed by Shalva Janashvili dated 03/17/2009

Letter of Intent No. 114039/286 issued by MOIA signed by Shalva Janashvili dated 03/17/2009

Purchase Order No. 114039/287 issued by MOIA signed by Shalva Janashvili dated 03/17/2009

¶B.

Signed DSP-83 Nontransfer and Use Certificate signed by Steve Herberth (Falcon) dated 06/25/2009 and Shalva Janashvili (MOIA) dated 06/11/2009

Certificate of End User No. 114039/292 issued by MOIA signed by Shalva Janashvili dated 03/17/2009

Letter of Intent No. 114039/294 issued by MOIA signed by Shalva Janashvili dated 03/17/2009

Purchase Order No. 114039/295 issued by MOIA signed by Shalva Janashvili dated 03/17/2009

¶7. Please slug reply for PM/DTCC - BLUE LANTERN COORDINATOR and include the words "Blue Lantern" and the case number in the subject line. POC is Kyle M. Ballard, Phone: 202-663-1929; Email: BallardKM@state.gov; SIPRNET: BallardKM@state.sgov.gov. The Blue Lantern Guidebook (ref) is available as a PDF file on Intellipedia: http://www.intelink.gov/wiki/Blue_Lantern_End-Use_Monitoring_Program

¶8. Department is grateful for Post's assistance in this matter.
CLINTON